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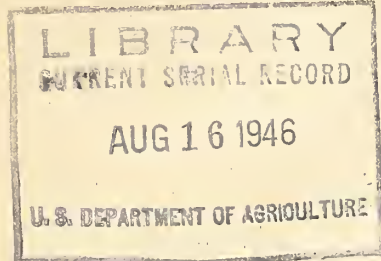
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INHERITANCE OF FARM REAL ESTATE, 1920-1945



A List of References

Compiled by A. M. Hannay

This bibliography contains selected references on the inheritance of farm real estate in the United States and foreign countries. A few references to general inheritance have been included, but no attempt has been made to include the many references in the catalog of the Library of Congress on related subjects such as inheritance taxation legislation, probate law and practice, wills, descent and distribution, etc., which do not come within the immediate scope of this bibliography.

GENERAL

1. BRINKMANN, C. Primogeniture. Encyclopaedia of Soc. Sci., v. 12, p. 402-404. N. Y., Macmillan, 1937. 280 Enl
2. COLL, G. D. Inheritance. Encyclopaedia of Soc. Sci., v. 8, p. 35-43. N. Y., Macmillan, 1937. 280 Enl
3. DALTON, H. Some aspects of the inequality of income in modern communities. 360 p. London, G. Routledge, 1920. (London School of Econ. and Polit. Sci. Studies in Econ. and Polit. Sci. Monog. 59) 284 D17
Extensive discussion of inheritance.
4. GRAS, H. S. B. A history of agriculture in Europe and America. Ed. 2, 496 p. N. Y., Crofts, 1940. 30.9 G762
History of property in land, p. 252-283.
5. HANEY, L. H. History of economic thought. Ed. 3, enl., 827 p. N. Y., Macmillan, 1936. 280 H19
Outlines Plato's plan for regulating inheritance and population. "In his ideal state each was to have an inalienable allotment of land. Each was to choose a single heir, adopting a son if he had no children, or choosing a husband for his daughter, if male issue were lacking. Other property might be distributed among his remaining children." The author comments that "all this is surely suggestive as to present-day questions of regulating inheritances."

6. MCMURRAY, O. K. Succession, laws of. Encyclopaedia of Soc. Sci., v. 14, p. 436-441. N. Y., Macmillan, 1937. 280 En1
7. MORRIS, R. B. Entail. Encyclopaedia of Soc. Sci., v. 5, p. 553-556. N. Y., Macmillan, 1937. 280 En1
8. SPIEGEL, H. W. Land tenure policies at home and abroad. 171 p. Chapel Hill, Univ. of N. C. Press, 1941. Ref., p. 156-164. 282 Sp4
Partial contents: Development of American land law, p. 8-10; The inheritance of farm land, p. 21-27. Topics discussed are inheritance and the distribution of wealth; primogeniture; land inheritance in Europe; land inheritance in the United States; and present tendencies.
9. STARK, W. Liberty and equality or: Jeremy Bentham as an economist. Econ. Jour. 51: 56-79. Apr. 1941. 280.8 Ec72
Summarizes the provisions of a bill formulated by Bentham determining the right of succession to property which would bring about an equalization of fortunes. Blackstone is quoted as follows: "In landed property ... in general only the eldest son, in some places only the youngest, in others all the sons together, have a right to succeed to the inheritance; in real estates males are preferred to females and the eldest male will usually exclude the rest." Bentham advocated the inheritance tax.

UNITED STATES

10. AHALT, A. M. Family partnership. Country Gent. 115(10): 81. Oct. 1945. 6 C833
Example of a family partnership in which the sons own the Jersey cattle, hogs, and chickens.
11. AITON, E. W. Junior partnerships for rural youth. Minn. Univ. Agr. Ext. Bul. 231, rev., 16 p. University Farm, St. Paul, 1944. 275.29 M66S
One feature is an opportunity to accumulate some property such as a tract of land or farm equipment.
12. ALLRED, C. E., and BRINER, E. E. Inheritance as a factor in the progress of Tennessee farmers. Tenn. Univ. Dept. Agr. Econ. and Rural Sociol. Rural Res. Ser. Monog. 88, 38 p., processed. Knoxville, 1939. 173.2 W89C6
Pt. I, Effect of inheritance on farm ownership. Pt. II, Effect of inheritance on tenure and wealth accumulation.
13. ALLRED, C. E., GUILFORD, M. M., and BOWSER, H. J. Why farmers move or change tenure status. Tenn. Univ. Dept. Agr. Econ. and Rural Sociol. Rural Res. Ser. Monog. 159, 40 p., processed. Knoxville, 1943. 173.2 W89C6
Involuntary tenure changes caused by marriage, death, and inheritance. "Acquisition of land through inheritance accounted for less than 2.0 percent of the reasons for moving, except in Madison County where it accounted for nearly 3.0 percent. However, inheritance may have indirectly contributed toward other moves which the farmer did not consider as due to this cause."
14. ANDERSON, B. The farmer seeks Jeffersonian democracy. 279 p. Baltimore, King Bros., 1943. Ref., p. 269-272. 280.12 An24
Tells of the solution of land tenure problems in the Antioch community of Franklin County, Va., where a farmer who reaches the age of 45 or so selects a son, or son-in-law, as a partner and gives him a deed to the farm with certain restrictions.

15. ANDERSON, W. A. Social mobility among farm owner operators. Social Forces 8: 378-380. 1930. 280.8 J823
Ownership, either through purchase or inheritance, was the chief reason given for farming in North Carolina where farm owner operators were not found to be a mobile class.
16. ANDERSON, W. A. The transmission of farming as an occupation. Rural Sociol. 4: 433-448; 5: 349-351. Dec. 1939, Sept. 1940. 281.28 R88
"Report of an analysis made of the transmission of farming as an occupation over three generations as compared with nonfarming occupations in upperclass New York families."
Topics are: The decrease in occupational transmission from generation to generation; The number of sons in the family and the transmission of occupations; Transmission of occupations from paternal grandfather to father to sons; Movement from nonfarming occupations into farming; Influence of brother upon brother in the choice of occupations; To what sons are occupations transmitted?; and the types of occupations into which the sons of farmers and nonfarmers enter. One of the conclusions is that farming as an occupation is transmitted from father to son in larger proportions than other occupations.
17. ANDERSON, W. A. The transmission of farming as an occupation. N. Y. (Cornell) Agr. Expt. Sta. Bul. 768, 29 p. Ithaca, 1941. 100 M48C
"Based upon three different samples from the farm and non-farming populations of New York State." Subjects considered are Transmission of farming and other occupations; Farming as selfperpetuating; Number of sons in the family and the transmission of farming; Proportions of the families of a given size in which sons follow the fathers' occupations; To which of the sons is the father's occupation transmitted?; Types of occupations entered by sons of farmers; Transmission of farming from generation to generation; and comparison of the decrease in the transmission of farming with the decrease in the transmission of non-farming occupations.
18. ARKANSAS. AGRICULTURAL EXPERIMENT STATION. Labor and tenancy changes on Arkansas farms. Ark. Agr. Expt. Sta. Bul. 443, p. 5-6. 1944. 100 Ar42
Notes continued migration of farmers' sons. "Of 25 owner operators over 60 years of age, only 8 had a son remaining on the farm who would presumably continue the farm as the owner after the death of the parent."
19. ARTHUR, I. W. Father and son farm business agreements. Iowa Farm Econ. 10(8): 11-12. Aug. 1944. 275.28 Io92
20. BAKER, O. E. The national welfare and rural urban migration in the U. S. A. Christian Rural Fellowship Bul. 4, 6 p. N. Y., 1935. 281.29 C46
Contains a plea for more widespread passing on of farms from father to son in the United States.
21. BAUSMAN, R. O. Farm tenancy in Delaware. Del. Agr. Expt. Sta. Bul. 178, 123 p. Newark, 1932. 100 D37S
Section on inheritance and farm ownership by owner-operator and landlord, p. 62-64.
22. BECKER, C. A. Written father and son farm partnership agreements. 12 p., processed. Ithaca, N. Y., Cornell Univ., Col. of Agr., Dept. of Agr. Econ. and Farm Managt., n. d. 281 C812

23. BILLIONS from farm to city. Wallaces' Farmer 62: 445. June 5, 1937. 6 W15

Deplores the loss to the farm of billions of dollars that have gone to the cities because of inheritances given to children who have moved to town.

24. BEALOCK, H. W. Plantation operators of landlords and tenants in Arkansas. Ark. Agr. Expt. Sta. Bul. 339, 45 p. Fayetteville, 1937. 100 Ar42

Table 1, p. 8, shows the methods of acquisition of owned land in 9 delta counties in 1934. 42.3 percent was acquired by inheritance; .2 percent, by gift.

25. BONDURANT, J. H. Land tenure in southern Logan County, Kentucky. Ky. Agr. Expt. Sta. Bul. 464, 23 p. Lexington, 1944. 100 K41

A study of the farm-tenure pattern in a representative agricultural area of Kentucky shows that more than half of the owner-operators inherited all or a considerable part of their farms or acquired them through marriage.

26. BRANDT, K. Farm tenancy in the United States. Social Res. 4: 133-156. 1937. 280.8 Sol9

"Tenancy is often a means for maintaining farm property in the same family, pending the owner's operation...as long as tenancy is a supplement to ownership and provides a certain elasticity it may have considerable merit."

27. BURDICK, R. T. How fathers and sons can agree. West Farm Life 47 (17): 3, 12. Oct. 15, 1945. 6 R153

Suggests three types of contract in the development of a father-son agreement.

28. CABREPA, D. R. A study of farm ownership in five typical farming towns in Pangasinan. Philippine Agr. 19: 179-191. Aug. 1930. 25 P542

The acquisition of the farms studied involved 742 separate transactions between 1870 and 1928. Inheritance represented 45.1 percent of those transactions.

29. CAHN, E. N. Federal regulation of agriculture. Univ. Pa. Law Rev. 88: 297-314. Jan. 1940. L9 P38

The Federal Government is said to control inheritance by helping to determine "(1) how much can be bequeathed; (2) to whom; (3) at what time; and (4) in what form." Taxation as a means of control is discussed.

30. CASE, H. C. M., and others. The Committee on Land Tenure in the Corn Belt. Jour. Farm Econ. 22: 628-633. Aug. 1940. 280.8 J822

T. W. Schultz, G. S. Wehrwein, and J. Ackerman, joint authors.

Account of the organization of the committee, the character of the land tenure problem, and some of the conditions fundamental to an improvement of land tenure in the Corn Belt. The need for improved types of ownership, inheritance, and credit is brought out on p. 631-632.

31. CASE, H. C. M., and HAINAH, H. W. Father-son farm business relationships. Ill. Farm Econ., No. 46, p. 231-234. Mar. 1939. 275.28 I15

Also in Hoard's Dairyman 84: 523, 544. Oct. 10, 1939. 44.8 H65

Four ways are outlined in which sons may enter into partnership with their fathers with a view to the continuation of a family on the same farm from one generation to another.

32. CASE, H. C. M. Thousands of ex-tenants. Ill. Farm Econ., No. 64, p. 403-405. Sept. 1940. 275.28 IL5
Emphasizes need for greater security for farm tenants. Although a certain number of farmers retire each year, their land often goes to relatives who displace the tenants.
33. CASE, H. C. M. Will your son stay on the farm? Country Gent. 111 (3): 18, 64, 66. Mar. 1941. 6 C833
Examples of satisfactory partnership agreements.
34. CHINARD, G. Thomas Jefferson, the apostle of Americanism. Ed. 2, rev., 548 p. Boston, Little, Brown, 1939. Libr. Cong.
Notes the blow dealt at the landed hereditary aristocracy of Virginia by Jefferson's Bill to Abolish Entails.
35. THE CHURCH and the family farm. I. Maintaining the family farm, by I. W. Moomaw. II. A family farm program for the rural church, by the Commission on Land Tenure of the National Convocation on the Church in Town and Country. Christian Rural Fellowship Bul. 99, 5 p. N. Y., 1945. 281.29 C46
36. CUNNINGHAM, J. B., and CASE, H. C. M. Father-son farm business agreements. Ill. Agr. Col. Ext. Cir. 587, 23 p. Urbana, 1944. 275.29 IL62C
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37. DAVIS, G. B. Father-son partnership agreements in farming. Oreg. Agr. Ext. Serv. Cir. 379, 20 p. Corvallis, 1941. 275.29 Or32C
Forms appended.
Suggestions made in the interest of the economic and social stability of American agriculture by the continuation of one family on the same farm from one generation to another.
38. DAVISON, R. P. Father-and-son financial agreements in farming. Vt. Agr. Col. Ext. Brieflet 585, 6 p., processed. Burlington, 1941. 275.29 V59E
Sample copies of three forms of agreements are appended.
Suggests a method of passing the farm on to the son.
39. DICKINS, D. Occupations of sons and daughters of Mississippi cotton farmers. Miss. Agr. Expt. Sta. Bul. 318, 132 p. State College, 1937. 100 M69
Study of Jefferson Davis, Lauderdale, Sunflower, Tate, and Webster Counties.
The probability of inheriting land, p. 52-53.
40. DIVIDING profits with gather. Wallaces' Farmer 64: 692. Nov. 4, 1939. 6 W15
Plans according to which sons may operate in partnership with fathers on home farms.
41. DUNCAN, O. D. A sociological approach to farm tenancy research. Rural Sociol. 5: 285-291. Sept. 1940. 281.28 R88
"Farm tenancy is a method (1) of preserving family holdings and (2) of transferring property in land from one generation to the next...it is a process of joint ownership and inheritance."
42. ECKERT, P. S. Father-son farming arrangements. Ohio Agr. Col. Ext. Bul. 219, 16 p. Columbus, 1941. 275.29 Oh32
Various possible arrangements are outlined and samples of written agreements are given.

43. ECKERT, P. S., and FERRIS, G. E. They invest in their sons. Country Gent. 113(4): 16, 55-56. Apr. 1943. 6 C833
On father-and-son farming agreements in Ohio. Specific experiences are cited as illustrations.
44. ELLIS, D. M. Land tenure and tenancy in the Hudson Valley, 1790-1860. Agr. Hist. 18: 75-82. Apr. 1944. 30:98 Ag8
Discusses leasehold tenures and instances the use of the "durable lease." Some of these were held for two or three lives.
45. ELY, R. T., and WEHRWEIN, G. S. Land economics. 512 p. N. Y., Macmillan, 1940. 282 E19L
Bibliography, p. 483-498.
Chapter VII, Agricultural Land Tenure and Soil Conservation, contains a section (p. 193-200) on inheritance in land tenure. See also p. 77-80, 88, 297.
46. ELY, R. T., and GALPIN, C. J. Tenancy in an ideal system of land-ownership. Amer. Econ. Rev. Sup. 9: 180-212. Mar. 1919. 280.8 Am32
Shows by examples cited that "tenancy is one means of transmission of landed property from one generation to another, and a very desirable means of transmission in suitable cases." Tenancy is also shown to be advantageous as an upward step in the agricultural ladder. Discusses retirement of farmers.
47. EVANS, A. E. The ancestral estate law of Kentucky. Ky. State Bar Jour. 7(4): 15-19. Sept. 1943. Libr. Cong.
"Under the Kentucky Statute creating ancestral estates (a) the real property of any person dying intestate and without issue, which property is derived from either of his parents, descends to that parent, if living. No distinction is here made between majors and minors. If the child, however, acquires the land by purchase it passes to both his father and mother under the general statute of descent. But if (b) such a child should die while still an infant, the land passes to the parent from whom it was received by gift, devise, or descent and to that parent's kindred. If there are none, then to the other parent and his or her kindred. But the kindred so claiming (in exclusion of the other parent and parent's kindred) shall not be more remote than either grandparent, or the uncles and aunts of the infant and their descendants."
The hardships caused by this statute are enumerated. A note states that the repeal of the statute "is being advocated."
48. FARM family partnerships in Minnesota. Ext. Serv. Rev. 3: 85-86. June 1932. 1 Ex892Ex
Plan proves success.
49. FARRAND, G. E. What happens to your property when you die? Calif. Citrograph 23: 330, 349, 374, 408. June-July 1938. 80 C125
Laws of succession in California and the necessity for making a will.
50. FOLEY, J. A. Inheritance law changes in the State of New York. N. Y. State Bar Assoc. Bul. 17: 100-106. June 1945. Libr. Cong.
Contains an amendment dealing with the sale of real property.
51. GRAY, L. O., and others. The causes: traditional attitudes and institutions. U. S. Dept. Agr. Soils and Men, Yearbook of Agr. 1938: 111-136. 1 Ag84Y

- J. B. Bennett, E. Kraemer, and W. N. Sparhawk, joint authors.
The system of inheritance, by L. C. Gray, p. 115-119.
52. GRAY, L. C. Farm ownership and tenancy. Acad. Polit. Sci., N. Y. Proc. 11(3): 15-24. 1925. 280.9 Acl
Notes that in the United States "inheritance plays a much smaller part than it did a century ago or than it would under the more static conditions of a European peasant community where son succeeds father in unbroken line under the special arrangements for inheritance." Suggests that consideration might be given to the establishment of a system of restricted inheritable leaseholds such as obtains in Denmark or Germany.
53. GRAY, L. C., and others. Farm ownership and tenancy. U. S. Dept. Agr. Yearbook 1923: 507-600. 1924. 1 Ag84Y
C. L. Stewart, H. A. Turner, J. T. Sanders, and W. J. Spillman, joint authors.
Methods by which landlords acquired the ownership of their farms, p. 535-536. Some factors that influence the rate of progress in climbing to farm ownership, p. 561-563.
54. GRAY, L. C. History of agriculture in the southern United States. 2 v. Washington, D. C., Carnegie Institution of Washington, 1933. 30.9 G79
See pages 379, 380, 494, 618-621.
55. GRAY, L. C. Introduction to agricultural economics. 556 p., N. Y., Macmillan, 1929. 281 G796
Among the reasons which cause farmers to offer land for rent rather than for sale the following are noted: Effect of inheritance and bequest, retirement from farming, sentimental considerations which cause retired farmers, as well as heirs, to retain the ownership of the farm instead of selling it, and temporary renting of land to sons or other heirs. - p. 270-273.
56. GRIFFIN, E. Four shoulders to the wheel. Successful Farming 36(5): 22, 44. May 1938. 6 Sul2
A successful family partnership.
57. HAMMAM, H. W. Family interest in the ownership of farm land. Jour. Farm Econ. 23: 895-899. Nov. 1941. 280.8 J822
Suggests methods of insuring the most economic disposition of the property in the case of death.
58. HARRIS, M. D. Legal aspects of land tenure. Jour. Farm Econ. 23: 173-184. Feb. 1941. 280.8 J822
Discusses some of the basic concepts of the United States land tenure system and notes some of its shortcomings as illustrated in the case of misuse of inherited farms or their subdivision into uneconomic units. "Neither the economic cost nor the social gain resulting from a specific adjustment in our inheritance laws can be accurately calculated."

59. HARVARD LAW REVIEW. Selected essays on wills and future interests, reprinted from the Harvard Law Review. 373 p. Cambridge, Mass., Harvard Law Rev. Assoc., 1940. Libr. Cong.
60. HASKINS, G. L. The beginnings of partible inheritance in the American colonies. Yale Law Jour. 51: 1280-1315. June 1942. L9 Y2
Notes the observance of partible inheritance in the early New England colonies and in Pennsylvania from the seventeenth century on. It is pointed out that some of the Plymouth settlers had some knowledge of the Dutch law of descent as well as of the customs of partible inheritance in England and that they held theories of law and government which might incline them towards the Mosaic scheme of succession. This study, in addition to its value as a chapter in legal history, "reveals the beginnings of an indigenous American law, not overly hampered by tradition, growing up in response to the social and economic conditions of a new civilization."
61. HIBBARD, B. J., and PETERSON, G. A. How Wisconsin farmers become farm owners. Wis. Agr. Expt. Sta. Bul. 402, 35 p. Madison, 1928. 100 W75
Scattered references to farms obtained by inheritance. Table VI, p. 15, gives the number of farms acquired by inheritance and by gift.
62. HILL, E. B., and BROWN, L. H. Developing successful partnership agreements in farming. Agr. Ed. Mag. 17: 44-45, 58. Sept. 1944. 275.8 Ag8
The partnership agreement described assumes a permanent relationship between father and son with the son acquiring half ownership in the personal property.
63. HILL, E. B. Father and son farm partnerships. Mich. Agr. Expt. Sta. Special Bul. 330, 43 p. East Lansing, 1944. 100 M58S
Transferring farm property from one generation to the next, p. 24-28.
Inheritance and gift taxes, p. 36-37.
64. HILL, E. B., and BROWN, L. H. Keeping em on the farm. Mich. Farmer 202: 289, 297. June 17, 1944. 6 M58
Father-son partnership.
65. HILL, F. F., JOHNSON, H. A., and RUSH, D. R. Erin; the economic characteristics of a rural town in southern New York. 80 p., processed. Ithaca, N. Y. State Col. Agr., 1943. 281.2 H552
U. S. Bureau of Agricultural Economics cooperating.
In Erin 42 farms were inherited and 26 parcels of land were added by inheritance to original holdings. In a few cases land was acquired by gift.
66. HOLLINGSHEAD, A. B. Changes in land ownership as an index of succession in rural communities. Amer. Jour. Sociol. 43: 764-777. Mar. 1938. 280.8 Am3
A study of the "succession-invasion processes which have occurred in land ownership between six different nationality groups living in thirty-four eastern Nebraska communities."
67. HOUGHTON, A. V., and STEWART, C. L. Some farm-land inheritance facts, Champaign County, Ill., 1860-1939. Ill. Farm Econ., No. 66, p. 432-433. Nov. 1940. 275.28 IL5

Based on a study of Champaign County probate records. Gives data on extent of property listing in the names of deceased persons; low tax valuations of property by heirs; the rate of entry of estates for probate, 1910, 1920 and 1930; and the decline in land ownership in the County.

68. HOWARD, C. B. Summary probate proceedings - the homestead. Minn. Law Rev. 20: 104-106. Dec. 1935. Libr. Cong.

Gives his opinion on the inheritance of a homestead under the provisions of the new Minnesota probate code.

69. IF YOUR boy inherits a mortgage. Wallaces' Farmer 62: 408-409. May 22, 1937. 6 W15

A farm was lost because it was left to four children instead of to the one son who was running it.

70. ILLINOIS. AGRICULTURAL EXPERIMENT STATION. Improving farm tenure in the Midwest: problems and recommended policies. Ill. Agr. Expt. Sta. Bul. 502, p. 143-169. Urbana, 1944. 100 IL65

Suggestions are made for the maintenance of more Midwest farms under continuous ownership and operation by succeeding generations of the same family. The recommendations are made by the North-Central Regional Committee on Land-Tenure Research.

71. JACKSON, M. L. Codal exceptions to the Louisiana law of heirship: the marital fourth and the widow's homestead. Tulane Law Rev. 18: 290-313. Dec. 1943. Libr. Cong.

A widow left in necessitous circumstances in Louisiana is entitled to an amount from the estate of her late husband sufficient to make up the sum of one thousand dollars. This right and that of the marital fourth are discussed.

72. JEFFERSON, L. P. A study of farm ownership in Massachusetts. Jour. Farm Econ. 5: 214-231. Oct. 1923. 280.3 J822

Discusses methods of acquisition of farms, including inheritance. Statistics are given on inheritance of farms by section of the State, by decades, 1840-1919, and on various characteristics of the heirs.

73. JENSEN, W. C., and RUSSELL, B. A. Studies of farm land prices and ownership. S. C. Agr. Expt. Sta. Bul. 247, 50 p. Clemson College, 1928. 100 So8

Steps to land ownership, p. 34-37.

Only 26 percent of the 170 owner farms studied in Anderson County in 1922 were inherited.

74. JOHNSON, O. R. Sharing earnings and management to hold workers on farms. Mo. Agr. Expt. Sta. Cir. 272, 12 p. Columbia, 1943. 100 M693

Discusses father-son partnership arrangements in case of the existence of one or two sons.

75. KELSO, M. M. Needed research in farm tenancy. Jour. Farm Econ. 23: 291-304. Feb. 1941. 280.8 J822

Discussion by Karl Brandt, p. 304-310.

Suggests subjects for research in connection with the transfer of land by inheritance and bequest. Most acute problems occur with regard to Indian lands. Example given. - p. 300.

76. KUHLMAN, G. W. A study of tenancy in central Illinois. Jour. Land. & Pub. Util. Econ. 3: 290-297. Aug. 1927. 282.8 J82

Discusses the "agricultural ladder" and the opportunities of sons of farm owners to become owners themselves. Many of the farms in the region studied are said to have been "divided for purposes of inheritance until the individual holdings are not economical units. Many of them are held by women and girls who are chiefly interested in receiving an income from them ... Tenancy for the young farmer ... as a means of passing the land from father to son may foster a healthy state of agriculture."

77. LEWIS, C. C. Who shall inherit the land? An argument for a limited form of entail. Land 1: 302-305. Autumn 1941. 279.8 L22

78. MCCOY, J. H., and GRIMES, W. E. The stock-share lease. Kans. Agr. Expt. Sta. Cir. 213 (Cir. 155 rev.), 39 p. Manhattan, 1942.
100 K13S

Paragraph on a father taking his son into business when "the stock-share method of dividing the investments, the expenses, and the receipts may be used as a basis for a satisfactory agreement." Suggested lease-forms are given.

79. MCWILLIAM, R. T. Farm ownership status of parents as a determinant of the socioeconomic status of farmers. Rural Sociol. 9: 151-160. June 1944. 281.28 R88

"Using as a basis for study 618 married couples living on farms in selected counties of Oklahoma, it was found that farm tenure status tended to be transmitted from one generation to the next, marriages were highly endogamous with respect to farm ownership status, and couples whose parents were farm owners generally possessed a higher socioeconomic status as measured by twenty items than those whose parents were nonowners. The farm ownership status of the wife's parents proved to be as important as that of the husband's parents in determining the relative status of married couples, excepting that women tended to marry up the tenure ladder and husbands received inheritances somewhat more frequently than wives."

80. MAKE your boy a partner. Wallaces' Farmer 65: 770. Nov. 2, 1940.
6 W15

Examples of father-son partnerships.

81. MILES, B. J. Fathers and sons. Cornell Countryman 38: 97. Apr. 1941. 6 C81

On the importance of father-son partnerships in views of the son's inheritance of the family farm.

82. MITCHELL, D. Factors associated with occupational choice among Minnesota rural youth. Social Forces 21: 210-214. Dec. 1942.
280.8 J823

Tenure status and size of farm are discussed, with accompanying statistics, as factors determining occupational choice, p. 212-214.

83. MOORE, H. R. Some legal aspects of landlord-tenant relationships in Ohio. Ohio State Univ. and Ohio Agr. Expt. Sta. Dept. Rural Econ. Mimeog. Bul. 119, 25 p. Columbus, 1939. 281.9 Oh32

Distinguishes three types of interest in land: (1) Freehold estates of inheritance; (2) Freehold estates not of inheritance; and (3) Estates less than freehold, sometimes designated as chattels real or as personal interests in real property.

84. MORRIS, R. B. Primogeniture and entailed estates in America. Columbia Law Rev. 27(1): 24-51. Jan. 1927. L9 C7
Historical and legal treatment of the subject.
85. MORTGAGING the farm to pay off heirs. Wallaces' Farmer 63: 103. Feb. 12, 1938. 6 W15
Argues that the farm and the boy on it should come first.
86. NORTH-CENTRAL REGIONAL COMMITTEE ON LAND-TENURE RESEARCH. Improving farm tenure in the Midwest; problems and recommended policies. Ill. Agr. Expt. Sta. Bul. 502, 169 p. Urbana, 1944. 100 Il65
Outlines measures for maintaining "more midwest farms under continuous ownership and operation by succeeding generations of the same family."
87. O'BRIEN, H. R. When farmers retire. Country Gent. 115(11): 22, 118-119. Nov. 1945. 6 C833
A story of farmers retiring on their own farms with their sons in many cases running the farm on a share basis.
88. OPPELHEIM, L. The usufruct of the surviving spouse. Tulane Law Rev. 18: 181-217. Dec. 1943. Libr. Cong.
Defines usufruct and discusses its treatment in French and Louisiana law.
89. ORTMEYER, R. H. Plans for inheriting the farm or ranch. Mont. Farmer 30(4): 5. Oct. 15, 1942. 6 M764
90. PEASE, W. F. 4-H clubs develop father-son partnerships. Ext. Serv. Rev. 14: 156. Oct. 1943. 1 Ex892Ex
Enumerates advantages. "If the son does choose to remain on the farm making provisions for increasing his equity from year to year protects him but still plays fair with the other children."
91. POLI, A. Japanese farm holdings on the Pacific coast. 25 p., processed. Berkeley, Calif., U. S. Bur. of Agr. Econ., 1944. 1.941 R4J272
Contains sections on Alien Land Laws, Farm Tenure, and Ownership Transfers during and after Evacuation.
The alien land laws of California, Washington, and Oregon are summarized as follows: "(1) In all three States ineligible aliens cannot own any interest in agricultural land by purchase. (2) In all three States they can take by inheritance. In California and Oregon they can inherit proceeds from sale of land but not the land itself; in Washington the land itself for a period of not more than 16 years. (3) In each State they can foreclose mortgages in good faith and collect debts bona fide. In California and Oregon they must dispose of the land so taken, within 2 years; in Washington within 3 years. (4) In all three States, the Asiatic alien's title to land is defeasible only by the State and is good against all individuals. (5) In Washington and Oregon ownership of land or an interest therein by the Asiatic alien indirectly through a corporation is restricted. In California it is prohibited. (6) In all three States the American-born Asiatic child has the right to own land. But in California and in Washington, if the alien parent pays for the land, the burden is on him to prove that the transaction was in good faith. (7) In all three States the laws are not retroactive, and titles acquired and vested prior to adoption of a particular prohibition, are not affected."

92. POND, G. A. Farm tenancy in Minnesota. Minn. Agr. Expt. Sta. Bul. 353; 46 p. University Farm, St. Paul, 1941. 100 M66
A section on Acquisition of Land and Permanency of Ownership shows that 13 1/2 percent of the farms were acquired by inheritance.
93. PURDUE UNIVERSITY. AGRICULTURAL EXTENSION SERVICE. Indiana father and son farm agreement (Provides that the son participate in the farm business on the basis of a 50-50 co-renter with the father). 10 p., processed. Lafayette, 1945? 275.2 In2I
94. RANKIN, J. O. Steps to Nebraska farm ownership. Nebr. Agr. Expt. Sta. Bul. 210, 32 p. Lincoln, 1926. 100 M27
Gives percentage of first land ownership acquired by gift or inheritance, p. 27-30.
95. READ, H. Partnership with dad? Successful Farming 43(8): 19, 70-71. Aug. 1945. 6 S4L2
Farming for veterans.
96. READ, H. E. Abolition of inheritance. 312 p. N. Y., Macmillan, 1919. Libr. Cong.
States the case against inheritance.
97. REGAN, N. M., CLARENBACH, F. A., and JOHNSON, A. R. The farm real estate situation, 1942-43. U. S. Dept. Agr. Cir. 690, 46 p. Washington, 1943. 1 Ag84C
Contains statistics on transfers of farm real estate by inheritance and gift for the United States and by geographic regions and States, 1939-1943.
Department Circular 377 and Circulars 15, 60, 101, 150, 209, 261, 309, 354, 382, and 417 are earlier reviews of the farm real estate situation. The first year reviewed is 1926.
98. ROOD, J. R. A treatise on the law of wills; including also gifts causa mortis and a summary of the law of descent distribution and administration. Ed. 2, 1112 p. Chicago, Callaghan, 1926. Libr. Cong.
99. ROZMAN, D. Land credit in the town of Newton, Manitowoc County, Wisconsin, 1848-1926. Jour. Land & Pub. Util. Econ. 3: 371-384. Nov. 1927. 282.8 J82
"In one section one-half the farms are in possession of direct descendants of the first settlers. Where this is the case, only three generations have operated the farms since the first settler came into possession. This stability has produced a homogeneous community."
100. RUTLEDGE, R. M. The relation of the flow of population to the problems of rural and urban economic inequality. Jour. Farm Econ. 12: 427-439. July 1930. 280.8 J822
"The predominating inheritance custom of the United States is equal division of all property among all children. In a region where real property constitutes nearly all of the inheritance... equal division of all property means substantially equal division of real property. The connection between rural and urban economic inequality, the inheritance customs and mortgage-banking facilities of the United States, is evident though not absolutely measurable statistically."
101. SALTER, L. A., JR. Farm property and agricultural policy. Jour. Polit. Econ. 51: 13-22. Feb. 1943. 280.8 J82
Notes economic results of transfer of property to his heirs on

102. **SALTER, L. A., JR.** Land tenure in process; a study of farm ownership and tenancy in a LaFayette County [Wis.] township. Wis. Agr. Expt. Sta. Res. Bul. 146, 48 p. Madison, 1943. 100 W75
- Topics include: Owner-operated farms acquired within the family: A. Farms transferred within the family and now wholly and clearly owner-operated. B. Farms transferred within the family and now part-owned clear, with rented land additional. C. Farms transferred within the family and now under encumbered ownership. Gift-purchases. Inheritance-purchases. D. Farms transferred within the family and now under encumbered ownership and with additional land rented. Gift-purchases. Inheritance-purchases. Related tenant farms.
- The analysis shows what "age, death and family composition do to land tenure over a period of two or more generations...These generation-to-generation transfers range from the small number of cases in which farms are held free and clear by a son who has acquired a full farm as a free gift or clear inheritance from his father, through the cases where unrelated tenancy occurs in a temporary interim until young family members are capable of assuming owner-operatorship" to certain extreme cases which are instanced.
103. **SANDERS, J. T.** Farm ownership and tenancy in the black prairie of Texas. U. S. Dept. Agr. Bul. 1068, 60 p. Washington, 1922. 1 Ag84B
- Special conditions affecting the individual's tenure status, p. 37-39. Mainly on the receipt of wealth from fortuitous sources - inheritance, gift, or marriage.
104. **SCARBOROUGH, W. S.** Tenancy and ownership among Negro farmers in Southampton County, Virginia. U. S. Dept. Agr. Bul. 1404, 27 p. Washington, 1926. 1 Ag84B
- Progress in Accumulation, p. 14-18, contains information on wealth received gratuitously.
105. **SCHICKELE, R.** Farm tenure in Iowa: IV. Farm tenure conditions in Palo Alto County. Iowa. Agr. Expt. Sta. Bul. 364, p. 156-183. Ames, 1937. 100 Io9
- Ownership History, p. 166-167. Figures are given for acquisition by purchase, foreclosure, and inheritance, for the periods 1920-1930, and after 1930.
106. **SCHMIDT, H. G.** Rural Hunterdon; an agricultural history. 331 p. New Brunswick, Rutgers Univ. Press, 1945. Ref., p. 297-320. 30.9 Sch53
- Chapter IV is Land Ownership. Notes considerable transfer in ownership of land in Hunterdon County, New Jersey, although there are instances of farms remaining in the same family for many generations. "A farmer with idle capital often bought more land than he could profitably tend in order that he might be able to leave each of his children a farm...Division of estates among heirs, except as interfered with by primogeniture and entail in Colonial days...cut down the size of holdings."
107. **SCHULER, E. A.** Social status and farm tenure - attitudes and social conditions of Corn Belt and Cotton Belt farmers. U. S. Farm Security Admin. Social Res. Rpt. IV, 253 p., processed. Washington, 1938. 1.95 Sol
- U. S. Bureau of Agricultural Economics cooperating.

- Chapter IV, The Agricultural Ladder: How Is It Working?, contains a section (p. 121-124) on the lift given to some farmers through inheritance.
108. SCHULTZ, T. W. What has happened to the agricultural ladder? Iowa. Agr. Expt. Sta. Bul. 357, p. 301-308. Ames, 1937. 100 Io9
Farm tenure in Iowa. III. The National Farm Institute symposium on land tenure.
"...with the high birth rate which still prevails among farm people and with inheritance customs as they are, most of the farmers of every generation must start down at the lower end of the agricultural ladder since a substantial proportion of the capital accumulation of farm families is transferred out of agriculture by inheritance each generation."
109. SHOULD son farm with father? Wallaces' Farmer 63: 449, 462. July 2, 1938. 6 W15
"Two-family partnerships need plenty of 'give-and-take' if they are to succeed."
110. SLOCUM, W. L. The influence of tenure status upon rural life. S. Dak. Agr. Expt. Sta. Cir. 39, 20 p. Brookings, 1942. 100 So82
"The report is based primarily upon data secured through interviews with 274 farm families that lived in the following seven counties when visited during the spring months of 1940: Brookings, Hyde, Kingsbury, Marshall, Moody, Sully and Turner."
Means of attaining ownership include inheritance.
111. SOCIAL SCIENCE RESEARCH COUNCIL. ADVISORY COMMITTEE ON SOCIAL AND ECONOMIC RESEARCH IN AGRICULTURE. Research in agricultural land tenure. Scope and method. Social Sci. Res. Council. Bul. 20, 89 p. N. Y., 1933. 281.29 Scl
Project 16, Analysis of an important factor affecting land tenure - Inheritance as an example, by G. S. Wehrwein, p. 71-72.
112. SOUTH DAKOTA. STATE PLANNING BOARD. Ownership of farm land in South Dakota, January 1, 1938. 68 p., processed. Brookings, 1938. 280.7 So82L
Transfer of land by will and by succession, p. 33-36.
113. SPILLMAN, W. J. The agricultural ladder. Amer. Econ. Rev., Sup. 9: 170-179. Mar. 1919. 280.8 Am32
Describes methods by which 2112 farm owners in Illinois, Iowa, Kansas, Nebraska, and Minnesota "climbed the agricultural ladder from laborer to owner." Part played by inheritance noted.
114. STANTON, L. B. Succession of property at death. Calif. Cult. 85: 661, 663, 690, 725, 772. Oct. 22, Nov. 5, 19, Dec. 17, 1938. 6 C12
Contains discussions of succession of property and the disposition of property by will under the California law.
115. STEGNER, W. D. Farm-family partnerships; better agriculture for boys and girls. Minn. Univ. Agr. Ext. Spec. Bul. 136, 24 p. University Farm, St. Paul, 1931. 272.29 M66S
Types of partnerships, with suggested forms and economic aims and results.
116. SWARTZ, J. R. Business of the home--legal aspects. Ohio Agr. Col. Ext. Bul. 214, 24 p. Columbus, 1940. 275.29 Oh32
Discussion of contracts, including paragraphs on descent and distribution, and wills.

117. TAYLOR, H. C. Agricultural economics. 439 p. N. Y., Macmillan, 1921. 281 T21A
Chapter XIX, The Farmer's Means of Acquiring Land, contains a section on gift and inheritance and emphasizes their economic importance.
118. TAYLOR, H. C. Outlines of agricultural economics. Rev. ed., 614 p. N. Y., Macmillan, 1931. 281 T210
Acquiring land by gift and inheritance is discussed on p. 271-274.
119. TEN HAKEN, W. Land tenure in Walnut Grove Township, Knox County, Illinois. Jour. Land & Pub. Util. Econ. 4: 13-24, 189-198. Feb., May 1928. 282.8 J82
Notes acquisition of land by inheritance, marriage, and gift, or "premature inheritance," and the activities of retired farmers.
120. TETREAU, E. D. The "agricultural ladder" in the careers of 610 Ohio farmers. Jour. Land & Pub. Util. Econ. 7: 237-248. Aug. 1931. 282.8 J82
Methods of obtaining ownership include inheritance, marriage, and gift.
121. TETREAU, E. D. The location of heirs and the value of their inheritances: farm and city estates. Jour. Land & Pub. Util. Econ. 16: 416-429. Nov. 1940. 282.8 J82
Based on probate court records in two Ohio and two Arizona counties. Notes considerable variation in the number of heirs per farm estate in the two States studied. Topics include Transfer of farm wealth to towns and cities by inheritance; Composition of farm estates; Some practical implications and conclusions.
122. TETREAU, E. D. Migration of agricultural wealth by inheritance; two Ohio counties. Ohio State Univ. Dept. Rural Econ. Mimeog. Bul. 65, 15 p. Columbus, 1933. 281.9 Oh32
Main topics are: Forms and value of the wealth which constituted the farm estates studied; Number of heirs found and their distribution in rural and in urban places of residence; Value of the wealth and property rights received by heirs living in rural and in urban places; Significance of the wealth and property rights of city-dwelling heirs; and Absence of a compensating flow of wealth and property rights countryward through the settlement of city estates. The counties studied are Franklin and Madison.
123. TETREAU, E. D. Tenant operators who are owners-in-prospect. Ohio. Agr. Expt. Sta. Bimonthly Bul. 16(148): 28-29. Jan./Feb. 1931. 100 Oh3S
Brief analysis of data collected in a survey of 270 Madison County and Union County, Ohio, tenant operators, 43 of whom were "living on and operating farms which they expected to receive as their own by gift or inheritance."
124. THOMPSON, G. W. Commentaries on the modern law of real property; being a comprehensive treatment of every phase of the subject with special reference to the acquisition, encumbrance and alienation of real property with complete forms. Permanent ed., rev., and enl., 12 v. Indianapolis, Bobbs-Merrill, 1939-1941. L5.5 R22T
Cf. Index (Vol. 12) under Descent and Distribution Freehold Estates; Heirs; Homesteads; and Tenure.

125. TIFFANY, H. T. The law of real property. Ed. 3, by Basil Jones. 6 v. Chicago, Callaghan, 1920-1939. L5.5 R22Ti
Cf. Index under Descent; Heirs; Homestead; Inheritance; Partnership Lands; and Tenure.
126. TIMMONS, J. F. Land tenure policy goals. Jour. Land & Pub. Util. Econ. 19: 165-179. May 1943. 282.8 J82
Discusses the concept of security as a tenure goal and contrasts the prevalent lack of security in the United States with the British tenure system and the German inherited freehold.
127. TURNER, H. A. The ownership of tenant farms in the North Central States. U. S. Dept. Agr. Bul. 1433, 40 p. Washington, 1926. 1 Ag84B
How ownership was acquired, p. 33-35. Methods of acquiring land were by purchase, inheritance, marriage, and homesteading. Data, given for 14,174 owners, show the percentage who had inherited their farms in whole or in part, and the percentage of the acreage inherited.
128. TURNER, H. A. The ownership of tenant farms in the United States. U. S. Dept. Agr. Bul. 1432, 48 p. Washington, 1926. 1 Ag84B
How ownership was acquired, p. 37-40. Figures are given for homesteading, by marriage, by inheritance or gift, and by purchase.
129. U. S. GENERAL LAND OFFICE. Homesteading in continental United States; information relating to homestead laws and regulations. U. S. Gen. Land. Off. Inform. Bul. 3, 8 p. Washington, 1945. 156.55 In3
Section XI, Rights of Widow, Heirs, or Devisees of Claimant.
"If a homestead entryman dies without having submitted final proof, his rights under the entry pass to his widow, or, if there be none and the children, if any, are not all minors, then to his heirs or devisees. However, if all the heirs be minor children of the entryman or entrywoman, and their other parent be dead, the entry is not subject to devise. In such a case the right to a patent vests in the children, subject to compliance with certain requirements."
130. U. S. NATIONAL RESOURCES PLANNING BOARD. LAND PLANNING COMMITTEE. Indian land tenure, economic status, and population trends. 73 p. Washington, 1935. 173.2 N214 Su Pt. 10
Part X of the supplementary report of the Land Planning Committee. Prepared by the Office of Indian Affairs, Department of the Interior.
Heirship complexities of Indian land estates, p. 15-20.
131. U. S. SPECIAL COMMITTEE ON FARM TENANCY. Farm Tenancy Report of the President's Committee. Prepared under the auspices of the National Resources Committee. 108 p. Washington, U. S. Govt. Print. Off., 1937. 173.2 F22F
Notes that tenants who are sons or sons-in-law of their landlords are likely to conserve the land they will inherit. On the other hand, there are examples of depleted farms operated by one of several heirs who has to obtain the consent of brothers or sisters in distant cities before he can make necessary improvements.
132. VINCENT, F. Probate homesteads. (Address.) S. Dak. Bar Jour. 13: 164-176. Oct. 1944. Libr. Cong.

Discusses the legislation regulating the inheritance of homesteads in South Dakota.

133. VON TUNGEN, G. H., and others. The social aspects of rural life and farm tenantry in Cedar County, Iowa. Iowa Agr. Expt. Sta. Bul. 217, p. 433-495. Ames, 1923. 100 Io9
E. L. Kirkpatrick, C. R. Hoffer, and J. F. Thaden, joint authors. Sources of wealth, p. 454. Includes figures on inheritance, marriage, and gift as sources of wealth.
134. WARD, G., and HURLEY, C. Where there's a will. Successful Farming 38(1): 46, 60. Jan. 1940. 6 Sul2
On wills, inheritance, etc., under the Illinois law.
135. WARREN, S. W. Father and son arrangements on the farm; a summary of the experiences on 22 New York farms. N. Y. Agr. Col. (Cornell) Dept. Agr. Econ. A. E. 456, rev., 18 p., processed. Ithaca, 1943. 281.9 C81
136. WARREN, S. W. Father and son partnership agreements. N. Y. Agr. Col. (Cornell) Dept. Agr. Econ. A. E. 533, 12 p. Ithaca, 1945. 281.9 C81
One of the problems involved is that of shifting the ownership of the farm to the next generation.
137. WEHRWEIN, C. F. The "agricultural ladder" in a high tenancy region. Jour. Land & Pub. Util. Econ. 7: 67-77. Feb. 1931. 282.3 J82
Comparison of conditions in Township of Bradford, Rock County, Wis., with those already studied in the low-tenancy region of Newton, Manitowoc County.
138. WEHRWEIN, C. F. Bonds of maintenance as aids in acquiring farm ownership. Jour. Land & Pub. Util. Econ. 8: 396-403. Nov. 1932. 282.8 J82
The bond of maintenance is defined as "a special means of transferring the title to farm land, but is confined to close relatives, usually a father and son or son-in-law." It makes provisions for the support of the person or persons transferring the property and sometimes for that of one or more minor heirs. An analysis is made of sample bonds from the records of Manitowoc County, Wis. Finds a generally unfavorable attitude towards bonds of maintenance, and suggests an alternative plan.
139. WEHRWEIN, C. F. The post-ownership steps on the "agricultural ladder" in a low tenancy region. Jour. Land & Pub. Util. Econ. 6: 65-73. Feb. 1930. 282.3 J82
Notes considerable role played by inheritance in the case of certain groups of farmers. "Inheritance...aids in paying off the mortgage debt, as well as in the acquisition of farm ownership."
140. WEHRWEIN, C. F. The pre-ownership steps on the "agricultural ladder" in a low tenancy region. Jour. Land & Pub. Util. Econ. 4: 417-425. Nov. 1928. 282.8 J82
Data obtained on inheritance prove its importance in the area studied: the town of Newton, Manitowoc County, Wis.
141. WEHRWEIN, G. S. Institutional economics in land economic theory. Jour. Farm Econ. 23: 161-170. Feb. 1941. 280.8 J822
One of the three transactions dealt with primarily by land economics is said to be transferring land by sale, gift, or inheritance.

142. WEHRWEIN, G. S. The problem of inheritance in American land tenure.

Jour. Farm Econ. 9: 163-175. Apr. 1927. 280.8 J822

A report on studies conducted to determine the manner in which land ownership has been acquired in certain selected areas in the United States. Areas studied are Walnut Grove Township, Knox County, Ill.; the town of Newton, Manitowoc County, Wis.; and Hensley Township near Champaign, Ill. Eight methods or variations of inheritance are distinguished.

143. WHO GETS dad's farm? Wallaces' Farmer 67: 265, 272. May 2, 1942. 6 W15

Various answers are provided.

144. WHO IS to get the home farm? Is it possible to transfer a farm to the next generation without penalizing the farm or the heirs?

Wallaces' Farmer 63: 301, 307. Apr. 23, 1938. 6 W15

A possible answer to these questions is suggested.

145. WILL your farm be moved to town? Wallaces' Farmer 63: 145. Feb. 26, 1938. 6 W15

Problem of a farmer who spent his life paying off the claims of other heirs to the farm he inherited when confronted with the question of what to do in the case of his own children.

146. YODER, F. R., and SMICK, A. A. Migration of farm population and flow of wealth. Wash. Agr. Expt. Sta. Bul. 315, 24 p. Pullman, 1935. 100 W27E

Table 19, p. 24, shows the distribution of heirs, amounts inherited, and average inheritance per heir by place of residence, estates settled in four townships, Whitman County, 1921-1930.

147. YOUNG, E. C. How stabilize farm ownership. Nation's Agr., Kans. Ed. 16(3): 5, 16-17. Mar. 1941. 280.82 B39

Warns against State ownership such as has come into existence in Europe, especially in Germany with its system of "hereditary farms."

FOREIGN COUNTRIES

AUSTRIA

148. BRETSCHNEIDER. Einheitliches bauernrecht in Grossdeutschland.

Nationalsozialistische Landpost, No. 31, p. 1-2. Aug. 5, 1938. 18 N212

A discussion of the introduction of the German law of farm inheritance (Erbhofrecht) into Austria under the ruling of July 28, 1938 and its importance.

149. GERMANY. LAWS, STATUTES, ETC. Verordnung über die einföhrung

fideikommissrechtlicher vorschriften im lande Osterreich. Vom 28.9.1938. Neues Bauerntum 30: 263-264. Oct. 1938. 282.28 N39

Text of the decree abolishing entail in Austria.

150. KALLBRUNNER, H. The law relating to family claims [Austria].
Internatl. Rev. Agr. Econ. (n. s.) 2: 157-160. Jan./Mar. 1924.
280.29 In83

"In most parts of Austria it is usual for the farm to pass to a single heir without any division of the property and for a settlement to be made with the co-heirs by an indemnity in the form of a sum of money or mortgage...as a rule, either the oldest or the youngest son inherits, whichever custom prevails locally."

To remedy injustices which occurred during the First World War the Familiengläubergesetz, or Law relating to family claims, was passed. Its most important provisions are given.

CANADA

151. GAGNE, C.. Seignorial tenure in Canada. Internatl. Conf. Agr. Econ., 5, 1918, Proc., p. 316-324. London, 1939. 281.9 In82
Notes some of the results of seignorial land tenure, one of them being the existence of farms too long and too narrow according to the custom by which farmers divided their farms lengthwise among their sons.
152. MILLSTONE, M. S., and others. The law of wills and descent of property. 60 p. Toronto, Blackstone Pub. Co., 1941. Libr. Cong.
P. Phillips, H. S. Ross, and J. W. Cerini, joint authors.

CHINA

153. FEI, H. T., and CHANG, C. I. Earthbound China; a study of rural economy in Yunnan. Rev. English ed., 319 p. Chicago, Univ. of Chicago Press, 1945. 281.184 F32E
Prepared in collaboration with P. Cooper and M. P. Redfield. Chapter IX, Inheritance of Land, deals with unilateral inheritance which means that "the property of the parents is not divided among their offspring of both sexes but goes either to the sons (patrilineal) or to the daughters (matrilineal) ... another principle... is the sharing of the fathers estate by all the brothers."
The economic implications of these systems are stressed. See also Chapter XXIII on Land Tenure.
154. FEI, H. T. Peasant life in China; a field study of country life in the Yangtze Valley. 300 p. London, G. Routledge and Sons, 1939. 281.184 F32
Chapter IV, Property and Inheritance, contains sections on effects of inheritance on marriage and descent and new legislation on inheritance. Chapter XI on Land Tenure deals also with inheritance and agriculture.
155. WAGNER, W. Die chinesische landwirtschaft. 668 p. Berlin, P. Parey, 1926. 34.1 W12
Verzeichnis der wichtigsten literatur, p. [661]-668.
Land ownership, tenancy, inheritance, and the taxation of land are among the subjects discussed.

CZECHOSLOVAKIA

156. BILOVSKÝ, F. Measures taken in Bohemia and Moravia for the preservation of peasant holdings. Internatl. Inst. Agr. Internatl. Bul. Agr. Law 3: 152-167. 1942. L4.818 In82B

Discusses the treatment of peasant holdings in case of succession under the following titles: Historic summary; The provisions of the Austrian Civil Code on succession; Special provisions relating to succession shares to holdings of average size in Bohemia; and the division of estates under the agrarian reform of 1920.

157. SEDLACEK, J. The evolution of legislation relating to peasant holdings in Bohemia and Moravia since the second half of the XVIIIth century. Internatl. Inst. Agr. Internatl. Bul. Agr. Law 4: 193-206. 1943. L4.818 In82B

Discusses farm land inheritance.

EUROPE

158. DIETZE, C. VON. Land tenure and the social control of land. Internatl. Conf. Agr. Econ., 5, 1938. Proc., p. 118-139. London, 1939. 281.9 In82

Notes the persistence of strict entail for agricultural landed property in many European countries. "Traces are still to be found in Hungary, and in individual cases in Sweden, Norway, and Great Britain - in the last side by side with the widespread, more elastically regulated system of entail...The system of entail has received far less approbation for the economic development of agrarian cultivation than for forestry.

"The German Reichserbhofrecht of 1933 shows a relationship with the system of entail in the restrictions it places upon the landowner, in the regulation of succession, and in its treatment of the non-inheriting children...The freedom to bequeath is abolished. Approximately half of the arable land of Germany is now under the Reichserbhofrecht."

159. HAASTERT, H. A. M. VON. The evolution of agricultural inheritance law. Internatl. Inst. Agr. Internatl. B. Agr. Law 1: 149-164. 1940. L4.818 In82B

A comparative study of agricultural inheritance laws in a number of European countries includes those of Belgium, Norway, Switzerland, Italy, France, and Germany.

A number of conclusions are drawn, and it is noted Germany is the only country that makes provision for the secondary heirs.

160. SCHMIDT, S. Some remarks on the land tenure of the Western Slavs. Internatl. Conf. Agr. Econ., 5, 1938. Proc., p. 387-392. London, 1939. 281.9 In82

Notes differences in systems of land tenure between the Eastern and Western Slavs. It is typical of a Western Slav to divide his property equally among his heirs. A discussion follows on the economic implications of the Slav custom of inheritance.

161. SERING, M., and DIETZE, C. VON, eds. Die vererbung des ländlichen grundbesitzes in der nachkriegszeit. 3 v. München and Leipzig, Duncker & Humblot, 1930. (Verein für Sozialpolitik, Schriften. Bd. 178.) 282 Se6V

This study of postwar land inheritance in European countries is a collection of articles by authorities on the subject and covers various German States, Austria, Czechoslovakia, Posen, Switzerland, France, Belgium, Netherlands, Denmark, Norway, and Sweden.

162. SPIEGEL, H. W. Altenteil: German farmers' old age security. Rural Sociol. 4: 203-218. June 1939. 281.28 R88
"The Altenteil secures the maintenance of the old farmer on his own farm after it has passed to a son." It is an "anticipated inheritance." Found in Germany, Sweden, and Austria. A detailed account of the working of the system reveals that "the disadvantages of the institution outweigh its advantages."
163. TCHERKINSKY, M. The evolution of the system of succession to landed property in Europe. Internatl. Inst. Agr. Monthly Bul. Agr. Econ. and Sociol. 32: 165E-196E. June 1941. 280.29 In83
Contents: Summary: 1. General remarks. 2. Division in kind of landed property. 3. Undivided succession by the principal heir: (A) Fideicommissa. (B) Unattachable family-properties. (C) Undivided succession to peasant holdings. 4. Recent reforms in systems of succession to landed property. 5. Conclusions.

FRANCE

164. BECKERICH, A. Le code de la famille rurale. Rev. des Agr. de France 74: 100-101. Apr. 1942. 14 R325
Describes a proposed law of farm inheritance by a single heir.
165. DRESCHER, L. Historische Grundlagen und gegenwärtige Entwicklungsrichtung des ländlichen Grundbesitzes in Frankreich. Berichte über Landwirtschaft (n. F.) 14: 450-479. 1931. 18 G31
A historical and critical survey of landed property in France with special reference to the right of inheritance.
166. DRESCHER, L. Problems of land tenure in France. Internatl. Conf. Agr. Econ., 4, 1936. Proc., p. 111-114. London, 1937. 281.9 In82
Discusses some of the results of the inheritance law of the Civil Code. States that the principle of equal sharing has not been properly carried out, sometimes because exceptions were imperative, and sometimes because a division of the farm among the heirs was not advisable for various reasons. "The simplest way of dividing up a farm among the heirs is to rent it to a tenant or to sell it. In the north, where the large farms prevail, it is not an economic proposition to cut up a large farm and sell the pieces. Frequently it happens that, when the heirs of a peasant farm cannot come to an agreement, they keep it in common ownership and let it." Other results of the inheritance laws are noted.
167. ÉLICE, P. DE. Les droits de la famille rurale; établissement des ménages ruraux; allocations familiales; sauvegarde du bien successoral. 62 p. Paris, Marchal, 1941. 281.2 F33
Inheritance, p. 43-60.
168. GRAND, R. À propos de la nouvelle législation sur la transmission familiale des biens ruraux: un retour à l'ordre naturel et à de vieilles traditions coutumières françaises; with discussion. Acad. d'Agr. de France. Compt. Rend. 25: 556-580. May 10, 1939. 14 P215Bc

169. LOWDERMILK, W. C. Erosion-control lessons from Old-World experience. I. Strip cropping by inheritance in France. Soil Conserv. 5: 85-86. Oct. 1939. 1.6 So3S
- Stresses the subdivision of land in France through inheritance.
170. PAILLET, J. Le nouveau régime des exploitations agricoles familiales. Agr. Prat. 102: 1405-1406. Nov. 19, 1938. 14 J82
- A new law of succession of rural property has been passed (June 17, 1938) aimed at diminishing the rural exodus and preserving the small family property in France. It provides that agricultural holdings under 200,000 francs in value, and equipment and cattle the value of which does not exceed a quarter of that of the real estate, remain undivided under certain conditions. The writer brings out the advantages of this ruling as contrasted with succession under the Civil Code.
171. SAVATIER, R. La transmission familiale des domaines agricoles en cas de mort. Vie Agr. et Rurale 27(1): 1-6. Jan. 15, 1939. 14 V67

A discussion of the legal aspects of transmission of agricultural properties within a family in case of death. The writer concludes that although the new laws give certain advantages to the heirs who remain on the soil, the heirs still remain free to parcel or to sell the inheritance if they agree on it; that it is only in the case of their inability to agree that the distribution of the property comes to court and the judges can fulfill the purpose of the law.

GERMANY

172. CHRISTY, D. F., and BOALS, G. P. Germany adopts new land ownership law. Jour. Farm Econ. 16: 326-329. 1934. 280.8 J322
- Reprinted from Foreign Crops and Markets, v. 28, No. 3, p. 53-58, Jan. 15, 1934.
- The authors discuss the provisions of the law, and its historical background and probable economic and social consequences. With respect to the last point, they say:
- "The law establishes compulsory sole inheritance affecting about three-fourths of all the land in agricultural use in Germany and these may be expected to have important economic and social consequences. Critics generally contend that the new law, unless changed, may tend to result in decreased agricultural production, a lower birth rate and the disappearance of private credit for agriculture. On the other hand, the new law will no doubt eliminate the burdensome mortgage debts formerly placed on inherited farms in order to satisfy the claims of the minor heirs. It will also prevent a reduction in the size of farms, a practice that has proved very uneconomical, especially in non-industrial areas. This feature, however, will also prevent any increase in the number of farms and, therefore, in the number of farmers as owners."
173. DRESCHER, L. The new German inheritance law for agriculture (Erbhofgesetz). Jour. Farm Econ. 16: 149-151. Jan. 1934. 280.8 J822

174. GALBRAITH, J. K. Hereditary land in the Third Reich. Quart. Jour. Econ. 53: 465-476. May 1939. 280.8 Q2
Summarizes the provisions of the Reichserbhofgesetz or State Hereditary Farm Law passed in September 1933.
175. GULLAND, P. Das Reichserbhofrecht; eine systematische gesetzeserläuterung. 272 p. Berlin, Heymanns Verlag, 1935. 282 G95
A systematic presentation of the many stipulations and regulations relative to the German land inheritance law.
176. HAASE, A. Grundsätzliches zur beurteilung der volksgemeinschaftlichen leistungen im erbhofe. Berichte über Landwirtschaft (n. F.) 24: 1-48. 1939. 18 G31
Fundamental considerations in the evaluation of the services rendered by the hereditary farm.
177. HARMENING, R. Legislation relating to hereditary peasant holdings in Germany. Internatl. Inst. Agr. Internatl. Bul. Agr. Law 2: 1-28. 1941. L4.818 In82B
178. JOHAE, W. Das Reichserbhofgesetz. Berichte über Landwirtschaft (n. F.) 19: 193-219. 1934. 18 G31
The author points out that the outstanding aim of the National Socialist regime in Germany is permanent security of land tenure for the so-called peasant so that he may have a chance to strengthen his threatened vitality and again become a strong economic force in the country. The most important law hitherto passed with this end in view is the National Inheritance Law of September 29, 1933. The author discusses the legally established requisites for such land ownership, the necessary qualifications of the farmer as to citizenship, descent, character, and capability as a farmer, the right of succession and provision for the other heirs established by the law and the advantages and responsibilities that accompany such inheritance.
179. KLASSEL, O. Agricultural law in Germany. Internatl. Inst. Agr. Internatl. Bul. Agr. Law 2: 191-215. 1941. L4.818 In82B
Includes land inheritance and the dissolution of entailed estates.
180. MUNZINGER, A., and GRASS, E. Die flurbereinigung in Süddeutschland, ihre geschichte und ihr stand am 1. januar 1935. Berichte über Landwirtschaft (n. F.) 123, Sonderheft, p. 3-48. 1936. 18 G31A
Summaries in German, English, French, and Spanish.
This is an account of the progress made in the redistribution and consolidation of scattered parcels of land in southern Germany and the improvement of conditions by laying out new field paths so as to provide for a more economic use of the land. The process involves a study of the inheritance customs of the different districts as well as of various rights and duties dependent upon the prevalence of scattered fields belonging to one farm. The article is illustrated by maps and tables.

181. SCHNEIDER, H. Survey of judgments and precedents relating to agricultural law in Germany. Internatl. Inst. Agr. Internatl. Bul. Agr. Law 3: 42-59. 1942. L4.818 In823
Discusses the ownership of the hereditary farm holding, legal conditions regulating the qualification of a hereditary farm holding, the leasing of such a farm, and the economic capacity and outlook on life of the farmer.
182. SERING, M. The relations of land tenure to the economic and social development of agriculture. Internatl. Conf. Agr. Econ., 4, 1936. Proc., p. 73-86. London, 1937. 281.9 In62
Traces the history of land tenure in Germany together with the inheritance customs.
183. SPIEGEL, H. W. Land inheritance under the swastika. Agr. Hist. 13: 176-188. Oct. 1939. 30.98 Ag8
184. WAGEMANN, G., and HOPP, K. Reichserbhofgesetz vom 29. September 1933 nebst durchführungsverordnung. 2. aufl. des Bäuerlichen Erbhofrechts von Gustav Wagemann, mit einem Geleitwort vom preussischen Justizminister, Staatsrat Hanns Kerrl und einem Beitrag vom Dr. Roland Freisler. 219 p. Berlin and Leipzig, W. de Gruyter & Co., 1933. (Guttentagsche Sammlung deutscher Reichsgesetze. Nr. 184.) Libr. Cong.
Text of German land-inheritance law of Sept. 29, 1933, and enforcement regulation of Oct. 19, 1933, with introductory comments.

GREAT BRITAIN

185. ASHBY, A. W. The relations of land tenure to the economic and social development of agriculture. Internatl. Conf. Agr. Econ., 4, 1936. Proc., p. 87-103. London, 1937. 281.9 In82
Contains a brief discussion of the British systems of land tenure and the difficulties in the administration of estates caused by family settlements and systems of entail. "Family settlements and systems of entail make administration of estates more difficult, tend to conservatism in policy, but on occasions have led to waste and neglect, or to drastic temporary exploitation. Under recent conditions one of the chief effects of family settlements is almost certainly that of making drastic reductions of current incomes of life-holders of agricultural estates, but there is no available measure of the extent of settlements or of their reduction of current net incomes to the nominal life-holders. Possibly nearly two-thirds of the agricultural land of England and Wales is subject to entails, which are not necessarily accompanied by charges on the land for the maintenance of persons other than the life-tenant. Many landowning families have personal property which can be disposed of in favour of females or collateral males or which can be charged with their support, and in these cases the landed property may be freed of interests other than those of the direct remainders or nominees. Amongst agriculturists as such there is no acute sense of any limitation of profitable activity or of neglect of land through the operation of entails and family settlements...But at the very lowest estimate, the working of the estate organization under systems of family settlements is greatly assisted by possession of wealth in other forms and receipt of income from other sources."

186. BAILEY, S. J. The law of wills, including intestacy and administration of assets; an introduction to the rules of law, equity and construction relating to testamentary dispositions. Ed. 2, 268 p. London, Pitman, 1940. Libr. Cong.
187. BRIGHOUSE, H. Short forms of wills adapted to the requirements of the middle classes and farmers. Ed. 4, 136 p. London, Sweet & Maxwell, 1938. Libr. Cong.
Has the Inheritance (Family Provision) Act, 1938, annotated by B. A. Bicknell.
188. BUTLER, W. F. Irish land tenures: Celtic and foreign. Studies 13: 291-305, 524-540. 1924. Libr. Cong.
The author distinguishes between the feudal land tenure and that which prevailed up to the beginning of the seventeenth century in Gaelic Ireland. He compares the Welsh system of land inheritance with that of Ireland.
189. HOMANS, G. C. Partible inheritance of villagers' holdings. Econ. Hist. Rev. 8: 48-56. Nov. 1937. 277.8 Ec7
Distinguishes between partible and impartible inheritance of villagers' land in England in the Middle Ages. In the former case the land was inherited by one individual, in the latter it might be divided among several heirs.
The same distinction is said to have existed in many parts of Europe, including Norway.
190. RUMSEY, A. Will-making and the devaluation of property at death. Rev. and enl. by A. R. Rudall. Ed. 6, 297 p. London, Jordan, 1927. Libr. Cong.
191. STRATTON, D. Tenure of agricultural land in Scotland. Scot. Farmer 53: 626, 646, 666. May 19, 26, June 2, 1945. 10 Sco8
Land is usually handed down from father to son, which, however, does not lead to monopolies, since landowners often have to sell parts of the land to meet taxes and death duties. Sub-letting is prohibited, but the lease does not prevent the eldest son from succeeding his father under certain conditions. If a landlord objects to the male heir, he can apply to the courts and obtain an outside party as tenant.
192. WEDGWOOD, J. The economics of inheritance. 276 p. London, G. Routledge & Sons, 1929. (London School of Econ. and Polit. Sci. Studies in Econ. and Polit. Sci. No. 98) Libr. Cong.
Contrasts two extreme examples of different types of inheritance laws the Code Napoléon in France "with its rigorous provisions for an equal distribution of the parents' property among their family, and the English system of freedom of bequest, coupled as it is with the custom of primogeniture in the disposal of land." It is shown that in England real estate owners often leave the land to one son but not necessarily to the eldest. It is also common for the sons to receive a larger share of the estate than the daughters, and, in the case of small estates, equal division among all the children is also common. - p. 70-74.

HUNGARY

193. FELLNER, F. DE. L'étatisme et la répartition de la propriété foncière en Hongrie eu égard à l'état du problème en France. Rev. Econ. Internatl. 26. année, v. 4, No. 3, p. 477-498. Dec. 1934. 280.8 R32

Discusses the factors that influence the distribution of landed property and the right of succession in Hungary; also property division in France and its possible lessons for Hungary.

194. NIZSALOVSZKY, A. The partition of landed estates under recent Hungarian legislation. Internatl. Inst. Agr. Internatl. Bul. Agr. Law 3: 129-151. 1942. L4.818 In82B

Contains a historical survey of inheritance legislation and the maintenance of family entails.

"To prevent the partitioning of a holding on the death of a farmer leaving several heirs...the Government grants long term loans to the heir willing to take over the farm, who is thus enabled to pay off his co-heirs." Discusses also the granting of holdings to ex-servicemen (lands for the valiant) and the establishment of small family entails.

195. SZÉCHÉNYI, G. Die reform der fideikommiss in Ungarn. Ungar. Volkswirt 4(11): 2-4. 1935. 280.8 Un36

A bill for the reform of the system of entail in Hungary proposes that estates be divided among all the relatives of the owner. It proposes a system of medium-sized entailed properties not exceeding 500 cadastral yokes and of entailed peasant farms not exceeding 200 cadastral yokes.

196. SZUCS, C. T. The development and character of Hungarian agrarian law. Internatl. Inst. Agr. Internatl. Bul. Agr. Law 4: 38-69. 1943. L4.818 In82B

Includes brief account of entail of family farms.

197. TOREKY, G. DE. The evolution of Hungarian land law. Internatl. Inst. Agr. Internatl. Bul. Agr. Law 4: 139-149. 1943. L4.818 In82B

Donations of land were made for distinguished service in the First World War, known as "lands to the valiant," this land cannot be divided, alienated, or encumbered, and is generally inherited by the oldest son.

Inheritance of homesteads and the reform of family entails are discussed.

INDIA

198. BALAKRISHNAMURTHI, D. Agricultural holdings: their disintegration and reunion into economic units. Madras Agr. Students' Union. Jour. 12(2): 53-61. 1924. 22 M262

"The evil of excessive subdivision of agricultural land is said to be accentuated in India by the laws of inheritance among the Hindus, as well as by the tendency of laborers to cultivate small tracts in their spare time. Remedial efforts are briefly outlined." Expt. Sta. Rec. 51: 393. 1924.

199. CALVERT, H. The size and distribution of agricultural holdings in the Punjab. Punjab Bd. Econ. Inq. Rural Sect., Pub. 4, 17 p. [Lahore] 1925. 281.9 In2

"...represents an attempt to give a bird's eye view of what is meant by the common saying that the Punjab is a province of peasant proprietors.

"The land is usually held by a body of village proprietors, whose shares amongst themselves are determined by ancestral relationships. The rule of inheritance gives to each son an equal share, except in a few areas where, in the case of sons by two or more wives, each wife secures an equal share for her sons jointly; in such a case the several sons of one mother get less each than the single son of another mother." - Preface.

200. IYENGAR, S. K. Studies in Indian rural economics. 161, 34 p. London, P. S. King & Son, 1927. 281 Iy9

Chapter III, Agricultural Holdings, p. 19-37, contains sections on excessive fragmentation, one of the causes of which is said to be the custom of dividing the land among the heirs.

ITALY

201. ITALY. Measures for avoiding the subdivision of agricultural units. Internatl. Inst. Agr. Internatl. Bul. Agr. Law 1: 199. 1940. L4.818 In82B

By a law of June 3, 1940, peasant holdings may be inherited by the heir named by the testator, or, if there is no will, by the heir who is willing to accept it and cultivate it. If no one answers these conditions, the land may be sold. The coheirs who do not take over the property are paid off either with other property or by a mortgage placed on the farm. Failing payment, the holding is sold.

MEXICO

202. SIMPSON, E. N. The ejido; Mexico's way out. 849 p. Chapel Hill, Univ. of North Carolina Press, 1937. 282 Si52E

Appendix D is a translation of Mexico's Agrarian Code of December 28, 1933. Article 139 regulates the ownership of agricultural land. "The individual holding shall be imprescriptible and inalienable, and may never be encumbered ... In case of the death of the grantee, his rights shall pass to the person or persons whom he supported, even though they may not have been related to him, provided they have lived with him as members of his family." Lists the persons who have a right to succeed the landowner.

NETHERLANDS

203. FROST, J. Die holländische landwirtschaft: ein muster moderner rationalisierung. 247 p. Berlin, Springer, 1930. 33.15 F92H
Contains an account of the development of land reclamation, tenure, and inheritance in the Netherlands.

NEW ZEALAND

204. ADAMS, E. C. Deed of farming partnership between father and sons. New Zeal. Law Jour. 21: 92-94. Apr. 17, 1945. Libr. Cong.
205. ADAMS, E. C. Farm subject to mortgage; settlement on infant child. New Zeal. Law Jour. 21: 9-10. Jan. 23, 1945.
"This is a straight-forward settlement of the equity of redemption of farm land on the infant child of settlor; the land has by contemporaneous transfer been vested in the two trustees, subject to the mortgage."
A sample deed gives the trustees power to farm and manage any landed property and to purchase and sell stock or implements necessary for the farming operations.
206. LEE, R. W. Some problems in the law of intestate succession. So. African Law Jour. 61: 447-460. Nov. 1944. Libr. Cong.
A general discussion.
207. THE NEW law of descent of intestate estates. New Zeal. Law Jour. 21: 29-32, 43-45, 57-60, 71-75, 85-88. Feb. 20-Apr. 17, 1945. Libr. Cong.
General but comprehensive. The issue of February 20 contains a table of statutory descent and distribution.

NORWAY

208. BORGERDAL, P. The farm and farm family as social institutions. With discussion by G. F. Warren. Internatl. Conf. Agr. Econ., 3, 1934. Proc., p. 207-218. London, 1935. 281.9 In82
Discusses land inheritance in Norway and the right of the oldest son to retain possession of the father's estate. The younger son follows the older in succession, and if there are no sons, the right of succession belongs to the oldest daughter. A large farm may be divided among the heirs but the first heir has a claim to at least half the property.
209. THOMSON, C. Norway's agriculture. Jour. Geog. 35: 165-178. 1936. 278.8 J82
This article contains some first-hand information on the use of the land for agriculture in Norway. "The farming areas are widely scattered and made up of small irregular tracts... In these farming areas are located more than a quarter of a million farms... More than ninety per cent of these farms are less than ten acres in size... A farm in Norway is a family tradition. The oldest son becomes owner at the death of his father... About ninety-five per cent of all Norwegian farm land is individually owned. A farm is sold only when there is no heir or when the owner has completely failed as a farmer."

SOUTH AFRICA

210. SCHAPER, I. Native land tenure in the Bechuanaland Protectorate. 283 p. Lovedale, So. Africa, Lovedale Press, 1943. 282.193 Schl
Accounts of inheritance of land and buildings.

SUDAN

211. MATTHEW, J. G. Land customs and tenure in Singa District. Sudan Notes and Rec. 4(1): 1-19. Apr. 1921. 515 Su2
The system of land tenure is said to be "a system of hereditary landlords owning large areas which they let to the cultivating classes." The majority of claims to land ownership depend on titles acquired by descent from members of the reigning house, vassel chiefs, or holy men.
Proofs of claims to ownership and the system of inheritance are briefly outlined.

SWEDEN

212. SWEDEN. SOCIALSTYRELSEN. Social work and legislation in Sweden. Survey publ. by order of the Swedish Government. 289 p. Stockholm, Kungl. Boktryckeriet, P. A. Norstedt & Söner, 1928. Libr. Cong.
A law of June 4, 1926, provides for the granting of Crown land with the right to use it for an unlimited time. The right is hereditary and transferable. The occupier may acquire full ownership after 20 years.

SWITZERLAND

213. DESCHENAUX, H. Survey of Swiss jurisprudence affecting agriculture. Internatl. Inst. Agr. Internatl. Bul. Agr. Law 2: 51-64. 1941, L4.818 In82B
Section on the Peasant inheritance law, p. 53-56.
214. GNAGI, H. Agricultural law in Switzerland. Internatl. Inst. Agr. Internatl. Bul. Agr. Law 4: 150-192. 1943. L4.818 In82B
Contains an account of the farm inheritance law and its functioning. "The Swiss code of obligations has not yet taken cognizance of the inheritance lease."
215. HAAR, R. The disencumberment of agriculture in Switzerland. Internatl. Inst. Agr. Internatl. Bul. Agr. Law 2: 142-155. 1941. L4.818 In82B
Contains a section on Peasant inheritance law, p. 154-155. The inheritance legislation is amended by an Act of December 12, 1940 which makes the assignment of farm holdings as a whole compulsory. Formerly a farm holding forming part of an estate was "assigned as a whole at its yield value should one of the heirs capable of managing the farm apply for it. Should another heir raise an objection or should several claim it, the qualified authority [decided] as to the assignment of the property or [ordered] it to be sold or divided."

216. HOBSON, A. Agricultural survey of Europe: Switzerland. U. S. Dept. Agr. Tech. Bul. 101, 64 p. Washington, 1929. 1 Ag84Te
Contains sections on ownership and tenancy, and the inheritance of rural property.
"Switzerland possesses enlightened legislation on the inheritance of rural property. It is designed, on the one hand, to prevent excessive subdivision through inheritance, and, on the other hand, to prevent excessive payments to coheirs on the part of the heir who is desirous and capable of working the farm intact."
217. LAUR, E. Le droit successoral paysan du code civil suisse; with discussion. Acad. d'Agr. de France. Compt. Rend. 23: 516-525. May 5, 1937. 14 P215Bc
Also in Agr. Prat. 102: 1535-1536. Dec. 17, 1938. 14 J82
According to the Swiss law of 1912 a father may will his estate to one of his heirs who must pay off the claims of his co-heirs. If there is no will and there is disagreement among the heirs, the court may allot the farm to the one who will carry it on. A method is provided for taking care of the claims of the other heirs.

YUGOSLAVIA

218. ERLICH-STEIN, V. The southern Slav patriarchal family. Sociol. Rev. 32: 224-241. July/Oct. 1941. 280.8 Sol4
Traces the gradual transformation and rapid decay of the patriarchal peasant family in Yugoslavia.
219. PERITCH, J. M. Protection of peasant holdings in Serbia. Internatl. Inst. Agr. Internatl. Bul. Agr. Law 1: 115-130. 1940. L4.813 In82B
Gives rules of the Serbian and Montenegrin legislation showing the priority of men over women in the case of intestate succession.

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Also Agricultural Economics Bibliography, Nos. 70 and 85, Farm Tenancy in the United States, 1918-1936, and 1937-1939.

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